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09/648,474	08/21/2000	Brian Mark Shuster	70111.00009	5826
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CONNOLLY BOVE LODGE & HUTZ LLP			EXAMINER	
P.O. BOX 2207			NGUYEN, DUSTIN	
WILMINGTON, DE 19899				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

09/648,474

Applicant(s)

SHUSTER ET AL.

Examiner

DUSTIN NGUYEN

Art Unit

2454

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 50-69 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 50-69 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date: \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 50-69 are presented for examination.

***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/06/2009 has been entered.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 50-52, 55, 57, 59-61, 66, 68 and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carden, Jr. [ US Patent No 7,257,767 ], in view of MacNaughton et al. [ US

Patent Application No 2006/0242583 ], and further in view of Kurzrok [ US Patent No 6,260,064 ].

5. As per claim 50, Carden discloses the invention as claimed including a computer-implemented method for exchanging information within a group of users on a wide area network [ i.e. a system and method enable authors to submit written materials to a publisher, society or agency, for immediate review, editing and publishing ] [ Figure 1; Abstract; and col 1, lines 60-67 ], comprising:

processing a defined topic comprising one or more human-language words to determine whether it is qualified [ i.e. check for spelling and plagiarism ] [ col 12, lines 47-col 13, lines 20; and col 18, lines 43-49 ];

determining, at a host server, if the defined topic is duplicative of pre-existing topics stored within a memory of a server computer [ i.e. compare with existing title in database to prevent duplication ] [ col 12, lines 24-44; and col 14, lines 43-45 ];

serving the defined topic to a plurality of remote clients over the wide area network if the defined topic is determined to be qualified and not duplicative of the stored pre-existing topics [ i.e. review by reviewers ] [ Figure 1; col 2, lines 20-34; and col 16, lines 53-col 17, lines 35 ];

receiving information posts responsive to the defined topic from the plurality of remote clients [ i.e. reviewers enter or make comments/notes ] [ col 10, lines 45-54; and col 17, lines 10-13 and lines 42-52 ].

Carden does not specifically disclose integrating the defined topic, the information posts, and a plurality of links to respective different remote information resources each containing

information related to the defined topic, to provide an integrated information resource, the plurality of links being distinct from the information posts.

MacNaughton discloses integrating the defined topic, the information posts, and a plurality of links to respective different remote information resources each containing information related to the defined topic, to provide an integrated information resource [ i.e. community client serves as access mechanism to the community services, annotation, and interactions ] [ paragraphs 0014-0019, 0030, 0036 and 0037 ], the plurality of links being distinct from the information posts [ paragraph 0036 ].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Carden and MacNaughton because the teaching of MacNaughton on integrating would enable to provide an enhanced user's Internet browsing experience by determining a user's preferences and facilitating the user's interaction with a community of users sharing similar preferences via community content annotations related to on-line content [ MacNaughton, paragraph 0003 ].

Carden and MacNaughton do not specifically disclose  
serving user-interface objects for rating relevance of respective ones of the information posts and of the plurality of links to the defined topic with the integrated information resource to the plurality of remote clients;

receiving user ratings from the plurality of remote clients responsive to the serving of the user-interface objects;

aggregating the user ratings to provide aggregate relevance ratings data; and

publishing the aggregate relevance ratings data with the information posts and with the plurality of links to the plurality of remote clients as indicating user-rated relevance of respective ones of the information posts and of the remote information resources to the defined topic.

Kurzrok discloses

serving user-interface objects for rating relevance of respective ones of the information posts and of the plurality of links to the defined topic with the integrated information resource to the plurality of remote clients [ i.e. reader evaluating said article and advertisement to generate said ratings ] [ col 1, lines 49-54; and col 2, lines 58-col 3, lines 27 ];

receiving user ratings from the plurality of remote clients responsive to the serving of the user-interface objects [ i.e. receive ratings from readers ] [ 300, Figure 5; col 1, lines 54-59; and col 4, lines 4-13 ];

aggregating the user ratings to provide aggregate relevance ratings data [ i.e. total or accumulating ratings ] [ 302, Figure 5; col 1, lines 44-48 and lines 59-65; and col 4, lines 12-20 ]; and

publishing the aggregate relevance ratings data with the information post and with the plurality of links to the plurality of remote clients as indicating user-rated relevance of respective ones of the information posts and of the remote information resources to the defined topic [ i.e. providing said rating parameters to a requester reader with associated statistical information ] [ 310, Figure 5; col 2, lines 12-15; and col 4, lines 61-65 ].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Carden, MacNaughton, and Kurzrok because the teaching of Kurzrok would enable to provide an automatic rating system for some of its content and to

generate a rating indicium which is sent to the content provided and/or generate a payment method [ Kurzrok, col 1, lines 6-11 ].

6. As per claim 51, MacNaughton discloses modifying the integrated information resource to prioritize information according to the aggregate relevance ratings data [ i.e. voting and scoring to be updated ] [ paragraphs 0020 and 0106 ].

7. As per claim 52, MacNaughton discloses serving the user-interface objects configured for providing the users an option to rate the information posts according to predetermined rating values [ i.e. vote and score ] [ paragraphs 0020, 0041 and 0106 ].

8. As per claim 55, Kurzrok discloses compiling the aggregate relevance ratings data for information posts identified as submitted by respective ones of the group of users to provide source-associated rating data, wherein each rating in the source-associated rating data is calculated from a portion of the aggregate relevance ratings data pertaining exclusively to information posts identified as submitted by a different respective one of the group of users [ Figure 5; and col 4, lines 3-67 ].

9. As per claim 57, Kurzrok discloses providing the users an option to receive a rating in the source-associated rating data for each user that has provided information posts to the integrated information resource [ i.e. invite the reader to provide rating ] [ col 3, lines 12-24 ].

10. As per claim 59, Kurzrok discloses presenting the plurality of links on a menu of a web page [ Figure 2; Abstract; and col 1, lines 61-col 2, lines 14 ].

11. As per claim 60, Kurzrok discloses presenting the plurality of links grouped in a corresponding plurality of menus of the web page, wherein each of the plurality of menus contains links pertaining to a category of information [ Figure 2; col 4, lines 34-51; and claim 3 ].

12. As per claim 61, it is rejected for similar reasons as stated above in claim 50. Furthermore, Carden discloses serving a plurality of additional defined topics for discussion to the plurality of remote clients [ col 17, lines 42-61 ].

13. As per claim 66, Kurzrok discloses serving at the respective different remote information resources each comprising at least one link back to the integrated information resource [ col 2, lines 58-col 3, lines 8 ].

14. As per claim 68, Carden discloses defining a plurality of additional topics for the soliciting additional posts of information from the plurality of remote clients, and serving the plurality of additional topics to the plurality of remote clients [ col 17, lines 42-62 ].

15. As per claim 69, it is rejected for similar reasons as stated above in claim 61. Furthermore, MacNaughton discloses grouping the additional posts of information in a plurality of topically organized interlinked information resources according to additional aggregate



relevance rating data derived from user ratings of relevance from the plurality of remote clients of the additional posts of information to respective ones of the plurality of additional topics, wherein each of the interlinked information resources comprises selected ones of the additional posts of information that the additional aggregate relevance rating data indicates are more relevant to a respective one of the plurality of additional topics identified as a primary topic of the each of the hyperlinked information resources than to other ones of the plurality of additional topics [ i.e. organize messages ] [ paragraphs 0007, 0016, 0037 and 0038 ].

16. Claims 53, 54, 56, 58, 62, 64, 65 and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carden, Jr. [ US Patent No 7,257,767 ], MacNaughton et al. [ US Patent Application No 2006/0242583 ], and further in view of Kurzrok [ US Patent No 6,260,064 ], and Ginn [ US Patent No 6,275,811 ].

17. As per claim 53, Carden, MacNaughton, and Kurzrok do not specifically disclose displaying the information posts in the integrated information resource in a ranked order according to the aggregate relevance ratings data. Ginn discloses displaying the information posts in the integrated information resource in a ranked order according to the aggregate relevance ratings data [ i.e. sorted in order ] [ col 10, lines 62-64; and col 11, lines 28-39 ]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Carden, MacNaughton, Kurzrok and Ginn because the teaching of Ginn would provide a system and method which accumulate and communicate points representing the

value of posting a message to other users in a discussion group [ Ginn, col 3, lines 24-38 ].

18. As per claim 54, Ginn discloses displaying the plurality of links in the integrated information resource in a ranked order according to the aggregate relevance ratings data [ col 3, lines 49-64; and col 11, lines 28-39 ].

19. As per claim 56, Ginn discloses ranking the group of users according to each respective one of the group of users' respective rating in the source-associated rating data [ Figure 7; and col 8, lines 1-67 ].

20. As per claim 58, Carden discloses receiving preference information from the plurality of remote clients [ i.e. qualifying criteria or preference ] [ col 16, lines 10-22; and claim 8 ]. Carden, MacNaughton, and Kurzrok do not specifically disclose wherein the preference information specifies threshold criteria set by respective ones of the group of users for filtering the information posts according to the source-associated rating data applied to the contributor of each post of the information posts. Ginn discloses wherein the preference information specifies threshold criteria set by respective ones of the group of users for filtering the information posts according to the source-associated rating data applied to the contributor of each post of the information posts [ col 3, lines 37-40; and 6, lines 24-28 ]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Carden, MacNaughton, Kurzrok and Ginn because the teaching of Ginn would provide a system and

method which accumulate and communicate points representing the value of posting a message to other users in a discussion group [ Ginn, col 3, lines 24-38 ].

21. As per claim 62, Ginn discloses ranking the plurality of links according to a measured use of ones of the plurality of links by ones of the plurality of remote clients [ col 10, lines 62-64; and col 11, lines 28-39 ].

22. As per claim 64, it is rejected for similar reasons as stated above in claim 58.

23. As per claim 65, Ginn discloses serving an interactive tolerance bar for providing the users an option to send the preference information [ col 11, lines 27-39 ].

24. As per claim 67, Ginn discloses ranking the plurality of links according to measured activity of the at least one link back on the different remote information resources [ i.e. most activity ] [ col 6, lines 48-56; and col 10, lines 12-18 ].

25. Claim 63 is rejected under 35 U.S.C. 103(a) as being unpatentable over Carden, Jr. [ US Patent No 7,257,767 ], MacNaughton et al. [ US Patent Application No 2006/0242583 ], in view of Kurzrok [ US Patent No 6,260,064 ], and further in view of Ginn [ US Patent No 6,275,811 ] and Dan et al. [ US Patent Application No 2006/0149833 ].

26. As per claim 63, Carden, MacNaughton, Kurzrok and Ginn do not specifically disclose performing an action selected from adding a link to the plurality of links, and deleting a link from the plurality of links, according to a ranking determined in the ranking step. Dan discloses performing an action selected from adding a link to the plurality of links, and deleting a link from the plurality of links, according to a ranking determined in the ranking step [ i.e. create and delete ] [ paragraphs 0021, 0027, 0139, 0197, and 0247 ]. It would have been obvious to combine the teaching of Carden, MacNaughton, Kurzrok, Ginn and Dan because the teaching of Dan would enable to provide a system for managing a site on a computer network, and integrating site architecture, navigation, design and management [ Dan, paragraph 0005 ].

27. Applicant's arguments with respect to claims 50-69 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (571) 272-3971. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Dustin Nguyen/  
Primary Examiner, Art Unit 2454